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BAE, JENNIFER CHOE GROVES, VICTORIA ESPINEL, STAN MCCOY,
CHRISTOPHER WILSON
STATE PASS FOR EB/TPP/IPE JOELLEN URBAN, CANDY GREEN,
JENNIFER BOGER,
DOC PASS FOR USPTO AND LOCSTEP
DOJ FOR DAAG LAURA PARSKY
DHS PASS FOR ICE

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SUBJECT: ITALY IPR: POSSIBLE BREAKTHROUGH IN GOI SUPPORT
FOR IPR PROTECTION

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[C](#). 06 ROME 3205

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[1](#). SUMMARY AND INTRO: On May 31, Economic Development Minister Bersani hosted Ambassador Spogli for a joint public presentation on Intellectual Property Rights (IPR). Bersani and the Ambassador emphasized the necessity of effective IPR protection to stimulate growth and innovation in knowledge-based societies such as Italy and the United States. Both called for more effective enforcement of Italy's IPR laws. This was the first occasion that a senior official from the current government has publicly called for and supported improved IPR protection in Italy, a major objective of Mission Italy. We hope this event will mark a turning point in our efforts to advocate stronger IPR protection and will provide momentum to our other IPR initiatives. END SUMMARY AND INTRO.

[2](#). Bersani and the Ambassador spoke in the Ministry's Grand Salon to approximately one hundred and fifty attendees from the government, business, labor movement, law enforcement, and the media. In addition to statements by the two principals, four parties with particular interest in IPR also offered brief remarks: Italy's High Commissioner Against Counterfeiting, a representative of Italian industry association Confindustria, a labor union official, and the Rector (President) of Roma III University. Minister Bersani also presented an award for innovation to an Italian university student who, quite appropriately for the day's topic, had designed software for screening patent applications for commercially applicable ideas.

[3](#). In his remarks, Ambassador Spogli noted that Italy's economy is struggling to keep pace with those of other major developed nations', and that notwithstanding a solid partnership, trade and investment between Italy and the United States are not as strong as they could be. He suggested that greater support for innovation, and in turn,

greater support for IPR as a spur to innovation, could strengthen Italy's economy.

¶4. The Ambassador identified a lack of acceptance in Italy that IPR are an essential element for economic growth. He also stressed that while Italy has good IPR protection laws, they are not well enforced. In particular, he urged the magistracy to pay more attention to piracy as a serious crime that requires tough sentencing. In his conclusion, the Ambassador restated his conviction that innovation is in the DNA of all Italians, and reiterated his and the Mission's support for Italian efforts to reinforce IPR.

¶5. Atypically, Minister Bersani diverged from his prepared remarks to respond directly to Ambassador Spogli. Bersani stated that Italy is growing increasingly aware that piracy and counterfeiting threaten Italian industry. He observed that, while economic and technological innovation are essential, Italy still relies on traditional industrial production for 23 percent of its GDP. Thus, protecting trademarked "Made in Italy" products and other types of IPR is crucial. He agreed with Ambassador Spogli that Italy must use innovation to keep its economy competitive.

¶6. Bersani commented that creative and innovative "chromosomes" (in reference to the Ambassador's comment on Italian DNA) are no longer sufficient. He stated that it is now necessary to create the conditions for IPR to become a key national asset, by building a culture of respect for IPR and reinforcing Italy's IPR laws. To effect this, Bersani called on industry, unions, and consumers to work with law enforcement. Bersani also agreed with the Ambassador on the need for retargeting university research from pure research to more commercially applicable ends, with the consequent need to focus on the protection of the rights resulting from research.

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¶7. Bersani highlighted Italy's continued commitment to international collaboration on IPR in ongoing discussions with the French and Chinese governments, in international fora such as the EU and G-8, and in Italy's continuing interest in the Anti Counterfeiting Treaty Agreement (ACTA) (see refelts). He noted further that Italy has opened 14 "IPR desks" around the world to assist Italian companies in protecting their rights abroad.

¶8. As noted, four short comments followed the two main presentations. Italy's High Commissioner Against Counterfeiting called for better coordination and consolidation of IPR protection activities. These efforts are currently divided among 17 GOI agencies. A representative of Italian industry association Confindustria noted that IPR protection is so important for Italian business that it must become an EU priority. A labor union official confirmed the unions' recognition of piracy's impact on the job market. The Rector (President) of Roma III University agreed that universities must make research more marketable, and underscored the need to work more closely with the private sector. Finally, all seconded the call for greater awareness of the value of IPR in Italy.

¶9. COMMENT: Minister Bersani is one of the most important "economic" figures in the government and has contributed some of its most effective reform proposals. Post had identified an absence of high level political commitment to IPR protection as a significant problem in securing wider bureaucratic support for stronger IPR enforcement. For that reason, Bersani's unequivocal support for IPR awareness and better implementation of legislation hitting at counterfeiting and illicit sales is extremely welcome. Post sees Bersani's participation in this event, and his comments there, as a public endorsement of strong IPR protection. Further, Post believes that his informal style throughout the program, in which he deviated significantly from a prepared

script in which he responded directly to Ambassador Spogli's presentation, signals a high level of personal interest in and commitment to IPR. We hope this will mark a breakthrough in our efforts to advocate improved IPR enforcement in Italy.

Post will continue to cultivate Bersani and his ministry as partners in improving Italy's IPR protection record. END COMMENT.

Spogli